

***United States District Court***  
***Northern District of New York***

**JUDGMENT IN A CIVIL CASE**

**KEVIN PAUL GERVASIO,**

**Plaintiff,**

**V.**

**CASE NUMBER: 9:11-CV-1302**

**MR. BREWNO; HOWARD SMJITH; MACELLI; WEAVIER;  
HORTON and RENSSELAER COUNTY SHERIFF'S DEPARTMENT,**


**Defendants.**

**[x] Decision by Court. This action came to trial or hearing before the Court.  
The issues have been tried or heard and a decision has been rendered.**

IT IS ORDERED AND ADJUDGED, that this action is dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B) and 28 U.S.C. § 1915A(b) due to plaintiff's failure to state a claim upon which relief can be granted and to comply with the terms set forth in the January 30, 2012 Order of Judge Mae A. D'Agostino.

**April 24, 2012**

**DATE**

  
Clerk of Court



**ENTERED ON DOCKET:**

**4-24-12 by NAS**

**Nancy A. Steves**

**(BY) DEPUTY CLERK**